

PATENT COOPERATION TREATY

PCT

INTERNATIONAL PRELIMINARY EXAMINATION REPORT

(PCT Article 36 and Rule 70)



Applicant's or Agent's file reference 62914	FOR FURTHER ACTION See Notification of Transmittal of International Preliminary Examination Report (Form PCT/IPEA/416)	
International application No. PCT/EP 03/50846	International filing date (day/month/year) 18.11.2003	Priority date (day/month/year) 22.11.2002
International Patent Classification (IPC) or national classification and IPC H01P5/107		
Applicant UNITED MONOLITHIC SEMICONDUCTORS SAS et al.		

- This international preliminary examination report has been prepared by this International Preliminary Examining Authority and is transmitted to the applicant according to Article 36.
- This REPORT consists of a total of 4 sheets including this title page.

☐ This report is also accompanied by ANNEXES, i.e. sheets of the description, claims and/or drawings which have been amended and are the basis for this report and/or sheets containing rectifications made before this Authority (see Rule 70.16 and Instruction 607 of Administrative Instructions of the PCT).

These annexes consist of a total of sheets.

- This report contains indications relating to the following items:
 - I ☒ Basis of the report
 - II ☐ Priority
 - III ☐ Non-establishment of opinion with regard to novelty, inventive step and industrial applicability
 - IV ☐ Lack of unity of invention
 - V ☒ Reasoned statement according to Rule 66.2(a)(ii) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement
 - VI ☐ Certain documents cited
 - VII ☐ Certain defects in the international application
 - VIII ☐ Certain observations on the international application

Date of submission of the demand 05.04.2004	Date of completion of this report 26.01.2005
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INTERNATIONAL PRELIMINARY
EXAMINATION REPORT

International application No. PCT/EP 03/50846

I. Basis of the report

1. This report has been drawn up on the basis of the following elements *(the replacement sheets received by the receiving office in response to an invitation according to Article 14 are considered in the present report as "originally filed" and are not annexed to the report as they contain no amendments (Rules 70.16 and 70.17).):*

Description, pages:

1-9 as originally filed

Claims, No.:

1-8 as originally filed

Drawings, sheets:

1/1 as originally filed

2. With regard to the **language**, all the elements marked above were available or furnished to this Authority in the language in which the international application was filed, unless otherwise indicated under this item.

These elements were available or furnished to this Authority in the following language which is:

- ☐ the language of a translation furnished for the purposes of international search (under Rule 23.1(b)).
- ☐ the language of publication of the international application (under Rule 48.3(b)).
- ☐ the language of the translation furnished for the purposes of international preliminary examination (under Rule 55.2 and/or 55.3).

3. With regard to any **nucleotide and/or amino acid sequence** disclosed in the international application, the international preliminary examination was carried out on the basis of the sequence listing:

- ☐ contained in the international application in written form.
- ☐ filed together with the international application in computer readable form.
- ☐ furnished subsequently to this Authority in written form.
- ☐ furnished subsequently to this Authority in computer readable form.
- ☐ The statement that the subsequently furnished written sequence listing does not go beyond the disclosure in the international application as filed has been furnished.
- ☐ The statement that the information recorded in computer readable form is identical to the written sequence listing has been furnished.

4. The amendments have resulted in the cancellation of:

- ☐ the description, pages:
- ☐ the claims, Nos.:
- ☐ the drawings, sheets:

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5. ☐ This report has been written disregarding (some of) the amendments, which were considered as going beyond the description of the invention, as filed, as is indicated below (Rule 70.2(c)):

(All replacement sheets comprising amendments of this nature should be indicated in point 1 and attached to this report).

6. Additional observations, if necessary:

V. Reasoned statement under Article 35(2) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement

1. Statement

Novelty	Yes:	Claims	2,3,6,7
	No:	Claims	1,4,5,8
Inventive Step	Yes:	Claims	
	No:	Claims	2,3,6,7
Industrial Applicability	Yes:	Claims	
	No:	Claims	1-8

2. Citations and explanations

see separate sheet

Concerning point 1

To facilitate the reference of the documents cited in the international search report, the latter are numbered seriatim (i.e. D1 to D4). This numbering will be used in the rest of the proceedings.

Concerning point V

1. The object of claim 1, in as much as the latter is clear, does not conform to the novelty criterion defined by PCT Article 33(2). Indeed, document D1: XP-001020506 (cf.: Abstract; page 44, left-hand column, lines 15-19 and right-hand column, lines 38-42; page 46, right-hand column, lines 1-11; page 47, left-hand column, lines 20-27; page 48, lines 1-3 and Figures 2, 10) describes a compact radar module for autonomous steering control applications applied to a motor vehicle which discloses the features of claim 1. The independent claim 1 does not therefore conform to the novelty criterion in light of the prior art D1.

The same objection of lack of novelty applies mutatis mutandis considering claims 4, 5 and 8 in light of D1 (cf.: page 46, right-hand column, lines 29-40; page 47, left-hand column, lines 32-35 and right-hand column, lines 18-30 and Figure 6).

2. The object of claims 2, 3, 6 and 7, in as much as they are clear, does not imply an inventive step as defined by PCT Article 33(3).

Given the document D2: US-6,040,739 (cf.: Abstract; column 1, lines 34-41; column 9, lines 1-35; column 21, lines 7-13), the latter describes a microstrip - waveguide transition enhanced by including the metallic package at the transition, at a distance of $\lambda/4$ from the latter.

The document D1 does not disclose the detail concerning the dimensioning of the transition or of the package at the transition. However, a person skilled in the art wanting to produce this transition and at the same time enhance it given the high frequencies used could, in light of D2, produce the transition of D1 without adding to it an inventive aspect.

Consequently, claims 2, 3, 6, and 7 are not inventive in light of D1 and the teaching of D2.

**INTERNATIONAL PRELIMINARY
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International application No. PCT/FR 03/00942